

# City of Lincoln, Nebraska

## IMPORTANT

**All revisions to plans must include Building Permit # and Job Address.**

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

## Plan Review Comments

Permit # **DRF01053**

Address

Job Description: 84TH & HWY 2 REGIONAL CENTER

Location: 84TH & HWY 2 REGIONAL C

Special Permit: N

Preliminary Plat: Y 01006

Use Permit: Y 140

CUP/PUD: N

Requested By: JENNIFER DAM

Status of Review: Approved

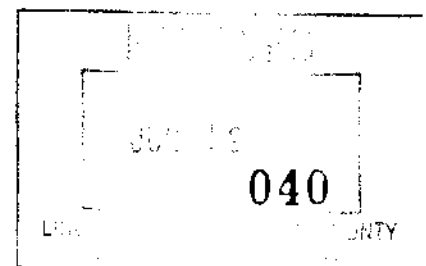
4/27/2001 12:58:28 PM

Reviewer: FIRE PREVENTION/LIFE SAFETY CODE BOB FIEDLER

Comments: Need additional site hydrants. Need meeting to discuss locations.

### Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards



# Memo

**To:** Jason Reynolds, Planning  
**From:** J.J. Yost, Parks & Recreation  
**Date:** 19 June 2001  
**Re:** Appian Way Regional Center (84<sup>th</sup> & Hwy. 2) – Resubmittal for Preliminary Plat #01006, Use Permit #140

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Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have compiled the following comments:

1. Street trees should be depicted as being located 6 feet behind the curb on typical right-of-way sections. An additional 6-foot wide pedestrian easement should be depicted outside of the right-of-way along the proposed trail. Please depict pedestrian easements on the site plan.
2. Street trees along Highway 2 may be clustered, but should have an average spacing of approximately 70 feet apart.
3. Street trees along private roadways may be clustered, but should have an average spacing of approximately 50 feet apart (e.g. 500 feet of roadway should have 9-10 trees).
4. Please substitute an alternate approved ornamental tree species for the Winter King Hawthorne.
5. Please depict street trees located along South 84<sup>th</sup> Street within the Public Way Corridor (i.e. 6 feet behind the curb). The suggested street tree is Kentucky Coffee tree.
6. Please confirm that there are no tall trees proposed to be located under LES transmission lines.
7. It is anticipated that the Public Way Corridors Technical Committee will also review the plans.

If you have any additional question, comments or concerns, please feel free to contact me at 441-8255.



**MICHAEL WOOLMAN**  
<lpd737@CJIS.CI.LIN  
COLN.NE.US>

06/14/2001 10:45  
AM

To: Jason Reynolds <JReynolds@ci.lincoln.ne.us>  
cc:  
Subject: 84th and HWY 2

Jason,

I fixed the problem with my E-Mail account and I hope this gets to you. Let me know if you received this.

The Lincoln Police Department has no objections to the resubmitted 84th and Hwy 2 plan.

Michael S. Woolman  
Planning Sergeant  
Lincoln Police Department



**Dennis L Roth**

To: JReynolds@ci.lincoln.ne.us

cc:

06/13/2001 09:32 PM

Subject: re: 84th & Hwy 2 Regional Center

Project Nam: 84th & Hwy 2 Regional Center, resubmittal for 07/11/01  
Prelim Plat: 01006  
Use Permit: 140  
Project Date: 06/11/01  
Planner: Jason Reynolds

Find NO DUPLICATE or SIMILAR SOUNDING NAMES within our geobase for the street names proposed in this project, other than those which are obvious extensions of an existing street.

Dennis "denny" Roth, ESD II/CAD Admin  
Emergency Communications 9-1-1 Center

Private: S 86th St, S 89th St, Anderrmat Dr, Bowman Dr, Eiger Dr and Heritage Lakes Dr.  
Public: S 84th St, S 87th St, S 91st St and Nebraska 2 Hwy



**UNITED STATES  
POSTAL SERVICE**

June 14, 2001

Jason Reynolds  
City-County Planning Department  
555 So 10 St  
Lincoln NE 68508-3992

**SUBJECT:** 84<sup>th</sup> & Hwy 2 Regional Center

Jason,

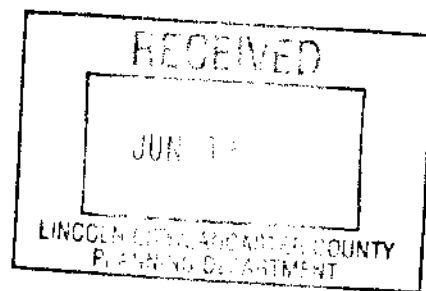
I have reviewed the above-mentioned request.

I find no concerns on behalf of the United States Postal Service and would agree with this proposal as submitted.

Please feel free to call me with any questions.

Thank you,

David L. Wampler  
Acting Supv. Customer Service Support



**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION**

**TO:** Jason Reynolds

**DATE:** 6/20/2001

**DEPARTMENT:** Planning

**FROM:** Chris Schroeder  
Jerry Hood

**ATTENTION:**

**DEPARTMENT:** Health

**CARBONS TO:** Carole Douglas, Director  
EH File  
EH Administration

**SUBJECT:** 84<sup>th</sup> & Hwy 2  
Regional Center  
Resub

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed regional shopping center at 84<sup>th</sup> and Highway 2 with following noted:

Sewage disposal is projected to be the City of Lincoln collection system. Developers have indicated that an existing septic system on this property will be properly abandoned according to LLCHD standards.

Water supply is projected to be the City of Lincoln municipal supply. Any wells in this area must be properly abandoned.

All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of vegetable ground cover will also be incorporated as necessary.

Provisions should be made for retaining as much tree mass as possible. Alternately, the applicant will need to plan for disposal of tree waste by burying on site, grinding, offering for firewood or hauling to the landfill. Permits for open burning of tree waste within the city limits will not be approved and applications for burning within the 3-mile zone are unlikely to be approved.

If you have any questions, please contact me at 441-6272.



May 25, 2001

Mr. Jack Lynch  
Olsson Associates  
1111 Lincoln Mall  
Lincoln, NE 68508

RE: 84<sup>th</sup> and Highway 2 Regional Center Preliminary Plat #01006, Use Permit#140

Dear Jack:

Your preliminary plat has been reviewed by the county staff, the city staff and other agencies involved in land subdivision. The review found the plans will need revisions to bring them into compliance with the regulations. Those revisions include:

1. The infrastructure improvements, annexation and phasing must be coordinated with the Heritage Lakes Preliminary Plat #01004.
2. Submit proposed annexation boundaries and a proposed annexation agreement detailing the responsibilities for infrastructure improvements for the review of the City.
3. Section 27.37.070(e) of the Zoning Ordinance requires that the application be filed in writing by the property owner. The application was filed on behalf of Eiger Corporation. The other property owners within the boundaries of the proposed plat and use permit include Andermatt L.L.C., Westcor L.L.C., David Olsson (currently being contested in court by Realty Trust Group, Inc), the State Department of Roads, the City of Lincoln, and Lancaster County.
4. The existing 91<sup>st</sup> Street right-of-way owned by Lancaster County and the right-of-way owned by the State Department of Roads must be vacated. Section 26.15.040(b) requires all requests to be submitted to the city for vacations which are required to complete the development.
5. The developer must own all the property included in any final plat. City owned land and public right-of-way of 91<sup>st</sup> Street are included in this plat.
6. Submit a finalized traffic study for review along with proposed caps on vehicular trips. Revise the plans to include a table detailing the land uses and trip limits.
7. Address the area of land between the existing and proposed new 84<sup>th</sup> Streets. The resulting parcels appear to be less than 10 acres in size and therefore must be included within this preliminary plat.

046



8. Revise the plans to show street trees along Highway 2, S. 87<sup>th</sup> Street, Eiger Drive, and Andermatt Drive.
9. The northern section of proposed S. 87<sup>th</sup> Street adjacent to Outlot D must be renamed as it is not a north/south road.
10. Revise the plans to clearly identify the lot lines and building envelope lines and the boundaries of the outlots. Provide a legend showing the different lines used, use consistent lines and line weights.
11. Revise the boundaries of the use permit to exclude right-of-way.
12. Revise the boundaries of the preliminary plat to include all of the parcels less than 10 acres that are created as a result of the proposed plat.
13. Revise the plans to relocate the gas station. The existing location appears to create problems with vehicular and pedestrian circulation, stacking and access.
14. Identify the large island shown in the parking lot west of the gas pumps.
15. Identify whether S. 87<sup>th</sup> Street is a public or private road, show the limits of the right-of-way.
16. Address the possibility of a future grade separated intersection at S. 87<sup>th</sup> Street and Highway 2.
17. Address the landscaping and screening requirements for parking lots on the landscape plan.
18. Revise the plans to move the signs outside of the front yard setbacks. The sign at the intersection of 91<sup>st</sup> and S. 87<sup>th</sup> appears to be located in a detention cell.
19. Revise the plans to provide sidewalks on both sides of the streets and along the main driving aisles.
20. Revise the plans to clearly show the potential layout of the property at the north end of the proposed plat as required by Section 26.23.015(d) of the Subdivision Ordinance.
21. Revise the plans to show street extensions into the abutting property for 300' surrounding the perimeter of the proposed plat as required by Section 26.23.030 of the Subdivision Ordinance.
22. Revise Note 4 to remove the word "entire."
23. Revise note 5 to indicate that sidewalks will be constructed at the time the roads are initially constructed, not at the time of the ultimate width.



24. Revise note 5 to reflect a 10' trail.
25. Revise note 9 to indicate that the lot lines may vary up to 10', not 100'.
26. Revise note 10 to remove the language "shall be permitted within the front yard setback provided they are not constructed in intersection site triangles or required easements.
27. Revise note 10 to indicate that ground monument signs shall have a maximum area of 100 square feet as required by Section 27.69.060(c). Revise the note to indicate that ground monument signs will have a maximum height of 8 feet per the requirements of 27.69.060(d) of the Zoning Ordinance. Indicate the type of sign that will be placed on the site. Refer to the definitions of signs in section 27.60.020 and the requirements of 27.69.060 in the Zoning Ordinance.
28. Revise note 10 to indicate that pad sites may have ground monument signs in conformance with Section 27.69.060 of the zoning ordinance.
29. Revise the plan to grant public access easements over the parking lots, driving aisles and private roadways in order to provide access to each lot from a public street or private roadway.
30. Revise Note 18 to add "provided circulation access drives are consistent with the approved plans, internal vehicular circulation is provided between all lots, and all zoning regulations and design standards are met."
31. Revise Note 20 to specify a maximum amount of square feet allowed for the center and specify the maximum number of vehicular trips that are allowed, and the 5% adjustment is per lot. In other words, each lot is limited to a 5% adjustment provided that the maximum number of vehicular trips established is not exceeded. Any increase over 5% per lot or that exceeds the vehicular trip cap will require an amendment to the Use Permit.
32. Revise note 22 to add that all zoning requirements must be met.
33. Submit the new alignments and geometrics for the 84<sup>th</sup> and Highway 2 intersection for the review of the Public Works Department. The intersection of 84<sup>th</sup> and Highway 2 and 87<sup>th</sup> and Highway 2 shown on the proposed plan are subject to relocation pending the submittal of the new alignments and geometrics.
34. The installation of the water lines, the abandonment of the water tank, and the pavement of S. 84<sup>th</sup> Street must be coordinated.
35. The water tank property must be declared surplus by the City Council prior to final plats. A request to surplus the property must be submitted, reviewed and approved by the city departments, then forwarded for the review of the Planning Commission and City Council.

36. The water tank must be taken out of service before final plats are scheduled on the Planning Commission agenda.
37. Provide the easements requested by LES. Add a note indicating that any relocation of existing facilities will be at the developer's expense.
38. LES noted that "On May 11, 2001 LES provided Olsson & Associates estimated costs for two corridor options to relocate the 115,000 volt transmission line in the area around the proposed 91<sup>st</sup> Street between Highway 2 and Pine Lake Road. At this time, the developer has not granted LES a replacement easement or provided authorization to proceed with any relocation work.
39. Revise the landscape plan to show a replacement easement or corridor for the transmission line satisfactory to LES.
40. Revise the landscape plan to show landscape materials satisfactory to LES in and adjacent to easement corridors.
41. LES noted that if the transmission line is relocated at a later date, additional relocation costs may be incurred to restore damage to corridor improvements resulting from construction. LES noted that additional costs could include tree trimming or removal of landscaping materials as necessary to maintain electrical safety clearances.
42. Revise the plans to satisfy the City and County Engineer's concerns about the "free right" at 98<sup>th</sup> and Pine Lake Road.
43. Provide a "typical section" of the public way corridor (91<sup>st</sup>/Pine Lake) reflecting the 120' and 130' rights of way. The section should include the location of trails, utilities and landscaping.
44. Revise the landscape plan to show utility easements and the bike trail. The street tree locations need to be coordinated with the utility locations within the corridor.
45. Revise the plans to show the bike trail at least 6 feet behind the curb line. The trail should be 10' wide and meander where possible. Since the trail is in a public way corridor, an additional 6 feet of right-of-way or easement is required.
46. Revise the plans to show a right-of-way landscape plan. A low native ground cover is suggested for minimal maintenance.
47. A minimum 8 foot wide median is required for maintenance.
48. Revise the plans to show reinforced concrete pipe (RCP) at all storm water crossings.

49. Revise the plans to replace Austrian Pine and/or Scotch Pine due to disease problems. Black Hills Spruce, Norway Spruce or Colorado Spruce may be substituted.
50. Revise the plans to address the relocation or abandonment of the existing rural water lines. Provide evidence that the hook-up issues and costs associated with the Rural Water District No. 1 have been satisfied.
51. Revise the plans to show additional fire hydrants to the satisfaction of the Fire Department.
52. Revise the plans to show a recycling drop-off site as part of the regional shopping center.
53. Revise the plans to show street trees located at least 6 feet from the back of curb and no closer than 4 feet to the bike trail.
54. Please add a note indicating that any wells on the property must be properly abandoned or have an annual permit from the Lincoln Lancaster County Health Department to operate.
55. The proposed water system must be revised to meet design standards. Public water mains must be located along public or private roadways. The public mains shown along parking lot aisles and driveways are unsatisfactory.
56. The plat includes a City water reservoir and City owned property. This plat cannot be fully developed without moving the reservoir. Any phased development and grading done on City property must be approved by the Lincoln Water System.
57. The sanitary sewer located north of Lot 5, Block 3 is unsatisfactory. The easement is substandard. The sewer is located between buildings in an area that will be used to serve the buildings and may be paved. If the sewer location is retained, the sewer should be privately owned and maintained.
58. A portion of this site is in the Beal Slough drainage basin. Since Beal Slough is master planned, design standards require that the discharge from this site be compared with the master plan discharges per Section 8.5 of the Stormwater Drainage Design Standards.
59. No provisions are shown through the detention basins to provide for a low flow or pilot channel as required by design standards. Public Works recommends that the requirement not be waived.
60. The 100 year elevation for Basin D16 is above the low point of the street grade low point adjacent to it and is unacceptable.

61. Design standards for detention facilities require minimum slope requirements for side slopes and slope of the bottom. Insufficient information is available to determine if these requirements are met. Interpretation of the contours indicate that some of these requirements are not met.
62. The plans show storm sewer in the surrounding arterial streets. The annexation agreement, plat, or both must indicate how these storm sewers will be built and who will bear the costs.
63. The drainage study and storm water detention analysis includes land that is outside the limits of the plat and use permit. It is also shown on property not under control of this developer. These detention basins are not required for the plat as submitted.
64. Revise the plans to provide additional labeling to clearly indicate the contour elevations.
65. Provide an executive summary of the detention information as previously requested. The information submitted is difficult to review in the format submitted. Engineering Services requests a meeting with Olsson's to discuss this format prior to resubmittal.
66. Revise the plans to show an internal loop road system so that internal traffic does not circulate using parking lot aisles and drives or 91<sup>st</sup> Street.
67. Revise the plans to address how truck circulation is intended to provide service to the commercial buildings. The paving width and radii must be confirmed in the areas where truck traffic is required.
68. The Phase I storage length for left turns as Eiger Drive at 84<sup>th</sup> is shown in the impact study at 450 feet. The design of Eiger Drive shows less than 300 feet. The plat design will not allow 450 feet.
69. The Public Works Department recommends sidewalks along both sides of the private roads. Lots are located along both sides of private roads. Crossing the streets at mid-block should not be encouraged by eliminating sidewalks. A sidewalk system should be provided from the private roads to the big box sites and from the future office area to encourage pedestrian movement between uses.
70. Right-of-way stubs need to be provided at all the private road intersections with arterial streets. The depth of the stubs must be sufficient to include space for all traffic control devices. Corner triangles of right-of-way at these intersections are also needed.
71. The driveway west of 91<sup>st</sup> Street on 87<sup>th</sup> is too close to 91<sup>st</sup> Street. The left turn stacking required in 87<sup>th</sup> Street prevents any left turn stacking at the driveway.
72. A minimum of 4 lanes of pavement is required at the approaches to all intersections of arterial streets.

73. The grades of 84<sup>th</sup> Street approaching Eiger Drive and Pine Lake Road exceed 4% in the approach of these proposed signalized intersections. This is contrary to design standards. Sight distance due to crest at the approach to these intersections must be confirmed to meet requirements.
74. The final alignment of 84<sup>th</sup> Street and Highway 2 is still under consideration. The plat may need to be revised to reflect the alignment chosen.
75. In general, it appears the length of turn lanes shown on the plat were designed at minimums, not desirable standards. The length of turn lanes must be considered utilizing the length of queued vehicles, not just the vehicles in the turn lanes.
76. The geometry that is shown on the plat must depict the geometry required to accommodate future traffic volumes and the right-of-way that may be determined in the off site improvement agreement.
77. Dimensions of the proposed arterial pavement along with its dimensional relationship to the proposed right-of-way must be shown to determine if proposed widths are adequate.
78. All right-of-ways must be clearly dimensioned.
79. Revise "required parking ratio". The minimum parking in the B-5 district is 4.5 parking spaces per 1,000 square feet of floor area, except restaurants, hotels and motels.
80. Revise the minimum parking column for "Walmart/Retail". The minimum required parking is 923 based on 4.5 spaces per 1,000 square feet of floor area.
81. Remove the words "preliminary plat" from the City Council approval certificate.
82. Remove trade names (eg. WalMart) from the documents to avoid amendments based solely on a change in the name of the tenant.
83. The following specific comments are made concerning the proposed abutting arterial streets and the proposed intersections:

**84<sup>th</sup> Street at the main entrance south of Pine Lake Road**

- a. Southbound dual left turn lanes need to be lengthened.
- b. Northbound right turn lane must be lengthened.
- c. This plat shows a four lane cross section on 84<sup>th</sup> Street plus dual left turn lanes in Phase I, unfortunately, they could complete Phase I and be open for business long before this cross section is in place. In addition, the impact study determined the length of turn lanes and the intersection LOS with the four lane cross section.

**84<sup>th</sup> Street at Highway 2**

- a. Southbound dual left turn lanes need to be lengthened.
- B. 84<sup>th</sup> Street south of Highway 2 is shown with only one southbound through lane, however, north of Highway 2 there are two southbound lanes shown.

**87<sup>th</sup> Street at Highway 2**

- a. Eastbound dual left turn lanes need to be lengthened.
- b. Eastbound right turn lane must be lengthened.
- c. Southbound left turn lane and right turn lanes need to be lengthened. The length of the turn lanes between Andermatt Drive and Highway 2 should be maximized.
- d. Westbound left turn lane must be lengthened.
- e. Westbound right turn lane must be lengthened. If the north leg of the intersection is constructed to ultimate design and the south leg is not constructed concurrently, the developer shall be responsible for the costs associated with the interim closure of the southbound through lane on the north leg of the intersection.

**91<sup>st</sup> Street at Highway 2**

- a. The left turn lanes on Highway 2 need to be aligned so that they oppose each other.
- b. Westbound right turn lane must be lengthened.
- c. Southbound right turn lane must be lengthened.
- d. Southbound left turn lane must be lengthened.
- e. The construction of the south leg of the intersection should be constructed concurrently with the north leg of the intersection to not only ensure proper alignment, but also establish the primary access to the village of Cheney.

**91<sup>st</sup> Street at the first entrance north of Highway 2 (Andermatt Drive)**

- a. Southbound left turn lane must be lengthened.
- b. Southbound right turn lane must be shown on the plat.
- c. Northbound left turn lane must be lengthened.
- d. Northbound right turn lane must be shown on the plat.
- e. It appears that Andermatt Drive is shown as a three lane cross section, and as a result, will not accommodate dual left turn movements off of 91<sup>st</sup> Street when they are warranted in the future. Andermatt Drive should be designed as a four lane cross section.

**91<sup>st</sup> Street at the second entrance north of Highway 2**

- a. Southbound left turn lane must be lengthened
- b. Southbound right turn lane must be shown on the plat.
- c. Northbound left turn lane must be lengthened.
- d. Northbound right turn lane must be shown on the plat. It appears the second drive north of Highway 2 is shown as a three lane cross section, and as a result, will not accommodate dual left turn movements off of 91<sup>st</sup> Street when they are warranted in the future. The second drive should be designed as a four lane cross section.

**91<sup>st</sup> Street at Pine Lake Road**

- a. Lengthen the northbound left turn lane.
- b. Lengthen the south westbound right turn lane.
- c. Roadway improvements should be continued from the intersection of Pine Lake Road and 91<sup>st</sup> Street east through the intersection of 98<sup>th</sup> Street and Pine Lake Road.

In addition you should be aware of the following general requirements:

1. You must complete, or post a surety to guarantee the completion of, the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, at your own expense, in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.
2. You must agree:
  - 2.1 To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
  - 2.2 To complete the private improvement shown on the preliminary plat.
  - 2.3 To maintain the outlots and private improvements and plants in the medians and islands on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
  - 2.4 To continuously and regularly maintain the street trees along the private roadways and landscape screens.
  - 2.5 To submit to the lot buyers and homebuilders a copy of the soil analysis.
  - 2.6 To pay all improvement costs.
  - 2.7 To comply with the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

All deviations from the Land Subdivision Ordinance and the adopted Design Standards must be set forth, reasons given for each deviation, reasons given on how the proposal meets the intent of the Land Subdivision Ordinance and why the deviation should be accepted must be submitted with the revised preliminary plat. Refer to Section 26.15.030(d) of the Lincoln Municipal Code.

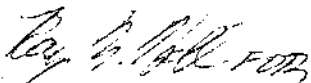
The next step in the review process requires a written response from you indicating agreement or disagreement (including a list of waivers) with each of the preceding revisions and general requirements. The revised preliminary plat and accompanying documents must be submitted 5 Mondays before the Planning Commission hearing.

Following the review of the revised plans and your response to the issues, I will re-evaluate the proposed preliminary plat for compliance with code requirements and design standards..

Please find attached reports from other departments who reviewed your plans.

Jennifer Dam, Ray Hill or Jason Reynolds will be happy to assist you in processing this plan. You may contact them at 441-6362, 441-6371 or 441-7620, respectively, if you have questions.

Sincerely,



Kathleen A. Sellman, AICP  
Director of Planning

Attachments

cc: Kelven Korver  
Kent Seacrest  
Dennis Bartels, Public Works & Utilities  
Lincoln Electric System  
Alltel Communications  
City-County Health Department  
Building & Safety  
Parks & Recreation  
County Engineering  
Fire Department  
Police Department  
Rural Water District No. 1  
Ray Hill  
File



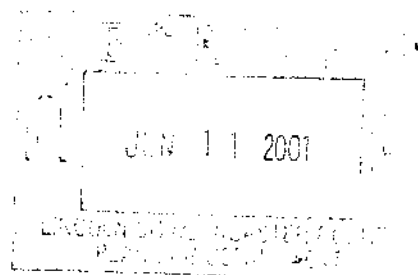
# SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350  
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000  
FACSIMILE (402) 435-6100  
E-MAIL: sk@sklaw.inetnebr.com

KENT SEACREST  
DANAY KALKOWSKI

11 June, 2001



Ms. Kathleen Sellman  
Planning Director  
County-City Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: 84<sup>th</sup> and Highway 2 Regional Center Preliminary Plat #01006, Use Permit #140

Dear Kathleen:

Our law firm represents Andermatt, L.L.C., as the landowner and Eiger Corp., as the developer in regards to the 84<sup>th</sup> and Highway 2 Regional Center Preliminary Plat #01006 and Use Permit #140.

Enclosed please find the following documents:

1. 20 copies of the Site Plan
2. 10 copies of the Grading & Drainage Plan
3. 5 copies of the Street Profiles
4. 10 copies of the Landscape Plan
5. 3 copies of the Highway 2 Interchange (potential)
6. 6 copies of the Drainage Study

The following are Eiger's specific responses to City Staff comments regarding the numbered paragraphs in your May 25, 2001 letter:

1. The infrastructure improvements, annexation and phasing must be coordinated with the Heritage Lakes Preliminary Plat #01004.

*Under separate cover last Friday, Eiger proposed to the City in the Conditional Annexation and Zoning Agreement For S. 84<sup>th</sup> & Highway 2 the necessary public infrastructure improvement for the Andermatt residential and commercial lands as shown in the S. 84<sup>th</sup> & Highway 2 Subarea Plan. For your information, the applicant of the Heritage Lakes Preliminary Plat has informed Andermatt and Eiger, that Heritage Lakes*

*Preliminary Plat is no longer a viable residential project. The City's proposed infrastructure improvements abutting the residential project was deemed excessive by the applicant.*

2. Submit proposed annexation boundaries and a proposed annexation agreement detailing the responsibilities for infrastructure improvements for the review of the City.

*Under separate cover, Eiger mailed the City last Friday a proposed Conditional Annexation and Zoning Agreement For S. 84<sup>th</sup> & Highway 2 ("Annexation Agreement"). The Annexation Agreement includes a map showing the first phase of the annexation. As soon as the City agrees on this annexation map, Olsson Associates will prepare corresponding legal descriptions. Annexation boundaries and agreements are herein included.*

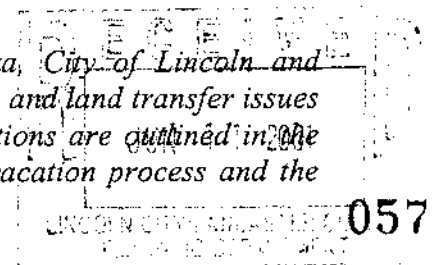
3. Section 27.37.070(e) of the Zoning Ordinance requires that the application be filed in writing by the property owner. The application was filed on behalf of Eiger Corporation. The other property owners within the boundaries of the proposed plat and use permit include Andermatt L.L.C., Westcor L.L.C., David Olsson (currently being contested in court by Realty Trust Group, Inc.), the State Department of Roads, the City of Lincoln, and Lancaster County.

*All consenting property owners within the preliminary plat and use permit boundaries will be included. Westcor, L.L.C. is a recorded landowner of Lots 87 and 84. David S. Olson is the record landowner of Lot 58. In addition, there is pending litigation between Olson and Realty Trust Group regarding a disputed purchase agreement for the sale of Lot 58 from David S. Olson to Realty Trust Group. Eiger has prepared and forwarded to Westcor, Olson and Realty Trust coordination agreements and the Annexation Agreement. Our office, along with attorney Mike Morrow, are working with the three parties towards reaching agreement on the key City land use issues and obtaining the three parties consent to the use permit and preliminary plat. As soon as the developer has obtained the three property owners' consents, they will be forwarded to you. In the event the developer is unsuccessful at obtaining an abutting property owner's consent in the next two weeks, then the developer will ask the City to amend our annexation, change of zone, use permit and preliminary plat to exclude the applicable property owner.*

*In regards to the ownership interest of the State Department of Roads, the City of Lincoln, and Lancaster County, see the next comment.*

4. The existing 91<sup>st</sup> Street right-of-way owned by Lancaster County and the right-of-way owned by the State Department of Roads must be vacated. Section 26.15.040(b) requires all requests to be submitted to the city for vacations which are required to complete the development.

*Our office has met with officials from the State of Nebraska, City of Lincoln and Lancaster County regarding the 91<sup>st</sup> Street realignment, vacation and land transfer issues and solutions for South 91<sup>st</sup> Street and the Water Tank. Solutions are outlined in the Annexation Agreement. The State of Nebraska has begun its vacation process and the*



*City Attorney has advised our office of the necessary steps to meet the City's requirements. The developer is in the process of carrying out these instructions and expect to be successful. Vacations of necessary rights-of-way and Water Tank site are underway and will be resolved prior to any final plats.*

5. The developer must own all the property included in any final plat. City owned land and public right-of-way of 91<sup>st</sup> Street are included in this plat.

*As part of the Annexation Agreement, use permit and preliminary plat, the developer is proposing a new alignment for S. 91<sup>st</sup> Street and vacation of portions of the existing S. 91 Street that will no longer be needed with the new alignment. Prior to any final plats, ownership of all parcels will be resolved.*

6. Submit a finalized traffic study for review along with proposed caps on vehicular trips. Revise the plans to include a table detailing the land uses and trip limits.

*Under separate cover, HWS submitted a final traffic study.*

7. Address the area of land between the existing and proposed new 84<sup>th</sup> Streets. The resulting parcels appear to be less than 10 acres in size and therefore must be included within this preliminary plat.

*Subject property has now been included as an outlet.*

8. Revise the plans to show street trees along Highway 2, S. 87<sup>th</sup> Street, Eiger Drive, and Andermatt Drive.

*Street trees have been included.*

9. The northern section of proposed S. 87<sup>th</sup> Street adjacent to Outlot D must be renamed as it is not a north/south road.

*Street names have been changed.*

10. Revise the plans to clearly identify the lot lines and building envelope lines and the boundaries of the outlots. Provide a legend showing the different lines used, use consistent lines and line weights.

*Graphics have been modified and legend added.*

11. Revise the boundaries of the use permit to exclude right-of-way.

*The developer has modified the plans to show two boundaries. A legal description with the right-of-ways is included in the preliminary plat and another legal description without the right-of-ways is included in the use permit.*

12. Revise the boundaries of the preliminary plat to include all of the parcels less than 10 acres that are created as a result of the proposed plat.

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JUN 11 2001  
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058

*Boundaries of the preliminary plat have been modified.*

13. Revise the plans to relocate the gas station. The existing location appears to create problems with vehicular and pedestrian circulation, stacking and access.

*Gas station has been relocated and required stacking has been shown.*

14. Identify the large island shown in the parking lot west of the gas pumps.

*The large island within the parking lots of Lots 5 and 6 is a landscaped island. Details will be submitted along with building plans.*

15. Identify whether S. 87<sup>th</sup> Street is a public or private road, show the limits of the right-of-way.

*South 87<sup>th</sup> Street will be public and the developer hereby asks for a waiver of required front yard setback for Lot 1, Block 2.*

16. Address the possibility of a future grade separated intersection at S. 87<sup>th</sup> Street and Highway 2.

*With the 50 foot setback and the additional 50 feet of landscaped area, there is sufficient room to incorporate an interchange at 87<sup>th</sup> Street. Grade wise there would need to be some retaining walls and street grades of 5-6%. The enclosed drawing illustrates one proposed alternative.*

17. Address the landscaping and screening requirements for parking lots on the landscape plan.

*Except for the 91<sup>st</sup> Street parking area, all other parking lots along the perimeter are generally located 100-feet back from the property line. The applicant is therefore not required to screen them. The one parking area along 91<sup>st</sup> Street will be screened. Our landscape plan shows extensive landscaping along the perimeter and in addition the property owners will be developing berming along these perimeter areas.*

18. Revise the plans to move the signs outside of the front yard setbacks. The sign at the intersection of 91<sup>st</sup> and S. 87<sup>th</sup> appears to be located in a detention cell.

*Along Highway 2, S. 84<sup>th</sup> Street and South 91<sup>st</sup> Street, the plan voluntarily show a 100-foot open area. There is a required 50-foot front yard setback along both S. 84<sup>th</sup> Street and Highway 2 and a 100-foot front yard setback along S. 91<sup>st</sup> Street. The plan relocates the signs out of the required 50-foot front yard area abutting Highway 2 and South 84<sup>th</sup> Street and places the signs into the second 50-foot open space area.*

*There is a required 100-foot front yard setback along 91<sup>st</sup> Street. The plans relocate the signs out of the first 50-foot area adjacent to the street and into the second 50-foot area. Since the same developer controls both sides of 91<sup>st</sup> Street, the developer is agreeable to*

JUN 11 2001

*this proposed sign waivers along 91<sup>st</sup> Street.*

*No signs are located in detention cells.*

19. Revise the plans to provide sidewalks on both sides of the streets and along the main driving aisles.

*The plan shows a sidewalk along one side of all major driving isles. The property owners will locate the walks along the most appropriate side of each major driving isles. Experience has illustrated that no one walks to and from the out parcels. If they did, they would need to cross the roadways anyway to access the parcels. One side is more than adequate as evidence by Lincoln's other major shopping areas. Therefore, the applicants continues to request the corresponding sidewalk waivers.*

20. Revise the plans to clearly show the potential layout of the property at the north end of the proposed plat as required by Section 26.23.015(d) of the Subdivision Ordinance.

*Possible layout has been made more clearly.*

21. Revise the plans to show street extensions into the abutting property for 300' surrounding the perimeter of the proposed plat as required by Section 26.23.030 of the Subdivision Ordinance.

*Plans have been revised as required.*

22. Revise Note 4 to remove the word "entire."

*Note 4 has been revised.*

23. Revise note 5 to indicate that sidewalks will be constructed at the time the roads are initially constructed, not at the time of the ultimate width.

*Sidewalks will be constructed initially.*

24. Revise note 5 to reflect a 10' trail.

*Note 5 has been modified.*

25. Revise note 9 to indicate that the lot lines may vary up to 10', not 100'.

*During our initial discussions with Planning staff, it was suggested by the City Planning Department and agreed to utilizing 100-feet to eliminate future protracted revision processes. Regardless of where property lines are, the property owners are ultimately governed by total square footage and by P.M. trips.*

26. Revise note 10 to remove the language "shall be permitted within the front yard setback provided they are not constructed in intersection site triangles or required easements."

JUN 11 2001  
060

*Note 10 has been modified.*

27. Revise note 10 to indicate that ground monument signs shall have a maximum area of 100 square feet as required by Section 27.69.060(c). Revise the note to indicate that ground monument signs will have a maximum height of 8 feet per the requirements of 27.69.060(d) of the Zoning Ordinance. Indicate the type of sign that will be placed on the site. Refer to the definitions of signs in section 27.60.020 and the requirements of 27.69.060 in the Zoning Ordinance.

*Note 10 has been modified.*

28. Revise note 10 to indicate that pad sites may have ground monument signs in conformance with Section 27.69.060 of the zoning ordinance.

*Note 10 has been modified.*

29. Revise the plan to grant public access easements over the parking lots, driving aisles and private roadways in order to provide access to each lot from a public street or private roadway.

*Public access easements will be shown over the private roadway and major driving isles.*

30. Revise Note 18 to add "provided circulation access drives are consistent with the approved plans, internal vehicular circulation is provided between all lots, and all zoning regulations and design standards are met."

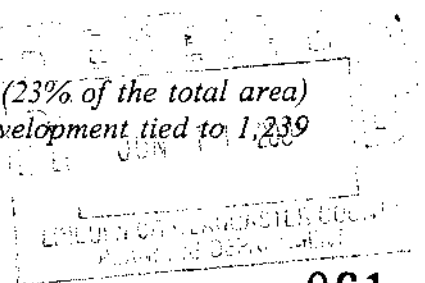
*Note 18 has been modified.*

31. Revise Note 20 to specify a maximum amount of square feet allowed for the center and specify the maximum number of vehicular trips that are allowed, and the 5% adjustment is per lot. In other words, each lot is limited to a 5% adjustment provided that the maximum number of vehicular trips established is not exceeded. Any increase over 5% per lot or that exceeds the vehicular trip cap will require an amendment to the Use Permit.

*As an overview to the issue of square footage and P.M. peak hour trips, there is a total land area bounded by 84<sup>th</sup> Street, relocated Pine Lake Road, 91<sup>st</sup> Street, and the railroad tracks south of Highway 2, of 257 acres. The Comprehensive Plan outlines approximately 1,900,000 sq. feet. The traffic study outlines 5850 P.M. peak hour trips. The amount of land and square footage of development amounts to an overall development intensity of approximately 17% or a FAR of .17.*

*Therefore:*

*The area south of Highway 2 is approximately 60 acres (23% of the total area) and would be allocated approximately 440,000 s.f. of development tied to 1,239 P.M. peak hour net vehicle trips.*



*The area north of Highway 2 is approximately 197 acres (77% of the total area) and would be allocated approximately 1,380,000 s.f. of development tied to 4,611 P.M. peak hour net vehicle trips.*

*The City desires a good balance of development and trips over the entire project area. Concerns should arise if one area begins to be overly developed to the detriment of the roadway system and the other areas. It would be our recommendation that the flexibility of moving property lines up to 100 feet (Question 25) and the flexibility of 10% (instead of 5%) square footage adjustments is not the critical measurement. It is the overall square footage and the P.M. peak hour trips.*

32. Revise note 22 to add that all zoning requirements must be met.

*Note 22 has been modified.*

33. Submit the new alignments and geometrics for the 84<sup>th</sup> and Highway 2 intersection for the review of the Public Works Department. The intersection of 84<sup>th</sup> and Highway 2 and 87<sup>th</sup> and Highway 2 shown on the proposed plan are subject to relocation pending the submittal of the new alignments and geometrics.

*Eiger has proposed the 84<sup>th</sup> Street realignment and intersection improvement, as well as the S. 87<sup>th</sup> Street intersection, cost sharing formulas and timetables in the Annexation Agreement. The City Administration is reviewing the Annexation Agreement. Olsson Associates has submitted proposed geometrics for the S. 84<sup>th</sup> & Highway 2 Intersection. The developer will accommodate any reasonable future modifications proposed by Public Works Department.*

34. The installation of the water lines, the abandonment of the water tank, and the pavement of S. 84<sup>th</sup> Street must be coordinated.

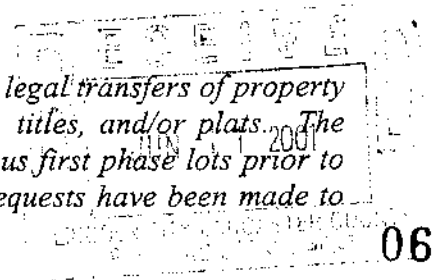
*Agreed. These matters are outlined in the Annexation Agreement.*

35. The water tank property must be declared surplus by the City Council prior to final plats. A request to surplus the property must be submitted, reviewed and approved by the city departments, then forwarded for the review of the Planning Commission and City Council.

*Under separate cover to the City Water Department, the developer has request the water tank property be declared surplus pursuant to the Annexation Agreement. The developer will work closely with the City to ensure timing and coordination are accomplished.*

36. The water tank must be taken out of service before final plats are scheduled on the Planning Commission agenda.

*We assume that what is being requested is that all appropriate legal transfers of property are carried out such that there are no problems with legals, titles, and/or plats. The property owners do expect to receive a final plat for the various first phase lots prior to the City taking the water tank out of service. All necessary requests have been made to*



*the Lincoln Water System and coordination will be obtained and addressed in the Annexation Agreement.*

37. Provide the easements requested by LES. Add a note indicating that any relocation of existing facilities will be at the developer's expense.

*LES has not requested any specific easements. Note has been added.*

38. LES noted that "On May 11, 2001 LES provided Olsson & Associates estimated costs for two corridor options to relocate the 115,000 volt transmission line in the area around the proposed 91<sup>st</sup> Street between Highway 2 and Pine Lake Road. At this time, the developer has not granted LES a replacement easement or provided authorization to proceed with any relocation work.

*The LES transmission line is no longer being proposed for relocated along S. 91<sup>st</sup> Street.*

39. Revise the landscape plan to show a replacement easement or corridor for the transmission line satisfactory to LES.

*The LES transmission line is not being relocated.*

40. Revise the landscape plan to show landscape materials satisfactory to LES in and adjacent to easement corridors.

*The LES transmission line is not being relocated.*

41. LES noted that if the transmission line is relocated at a later date, additional relocation costs may be incurred to restore damage to corridor improvements resulting from construction. LES noted that additional costs could include tree trimming or removal of landscaping materials as necessary to maintain electrical safety clearances.

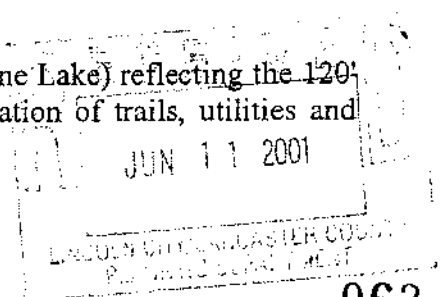
*Agreed.*

42. Revise the plans to satisfy the City and County Engineer's concerns about the "free right" at 98<sup>th</sup> and Pine Lake Road.

*The intersection of Pine Lake Road and 98<sup>th</sup> Street is not needed as a part of this project. If the City desires the "free right" movement, the developer has proposed that the City construct the project at the time the City improves Pine Lake Road or South 98<sup>th</sup> Street north of Pine Lake Road. The developer assumes that the right turn would be associated with some future Capital Improvement Program.*

43. Provide a "typical section" of the public way corridor (91<sup>st</sup>/Pine Lake) reflecting the 120' and 130' rights of way. The section should include the location of trails, utilities and landscaping.

*Typical sections are included.*





44. Revise the landscape plan to show utility easements and the bike trail. The street tree locations need to be coordinated with the utility locations within the corridor.

*Landscape plan has been revised. All walks, trails, and utility easements are within the 120' and 130' rights-of-way. All landscaping will be on private property.*

45. Revise the plans to show the bike trail at least 6 feet behind the curb line. The trail should be 10' wide and meander where possible. Since the trail is in a public way corridor, an additional 6 feet of right-of-way or easement is required.

*Plans have been modified. Ten foot trail fits within the right-of-way.*

46. Revise the plans to show a right-of-way landscape plan. A low native ground cover is suggested for minimal maintenance.

*There is no intent by the developer to landscape the rights-of-way.*

47. A minimum 8 foot wide median is required for maintenance.

*No landscaped areas are proposed in medians less than 8-feet wide.*

48. Revise the plans to show reinforced concrete pipe (RCP) at all storm water crossings.

*Plans have been revised.*

49. Revise the plans to replace Austrian Pine and/or Scotch Pine due to disease problems. Black Hills Spruce, Norway Spruce or Colorado Spruce may be substituted.

*Plant material has been revised.*

50. Revise the plans to address the relocation or abandonment of the existing rural water lines. Provide evidence that the hook-up issues and costs associated with the Rural Water District No. 1 have been satisfied.

*The Annexation Agreement addresss the Rural Water District No. 1 issue and the developer has agreed to meet the legal requirements of the Rural Water District No. 1.*

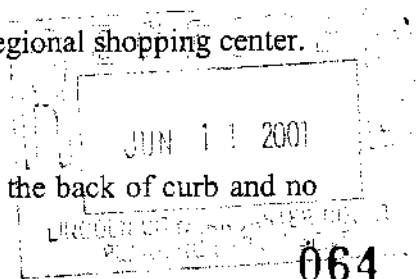
51. Revise the plans to show additional fire hydrants to the satisfaction of the Fire Department.

*Fire hydrants have been revised.*

52. Revise the plans to show a recycling drop-off site as part of the regional shopping center.

*Drop-off site will not be shown.*

53. Revise the plans to show street trees located at least 6 feet from the back of curb and no closer than 4 feet to the bike trail.



*Location of all plant material have been adjusted.*

54. Please add a note indicating that any wells on the property must be properly abandoned or have an annual permit from the Lincoln Lancaster County Health Department to operate.

*Note has been added.*

55. The proposed water system must be revised to meet design standards. Public water mains must be located along public or private roadways. The public mains shown along parking lot aisles and driveways are unsatisfactory.

*Public water system has been modified.*

56. The plat includes a City water reservoir and City owned property. This plat cannot be fully developed without moving the reservoir. Any phased development and grading done on City property must be approved by the Lincoln Water System.

*All necessary requests have been made to the Lincoln Water System and coordination will be obtained and addressed in the Annexation Agreement.*

57. The sanitary sewer located north of Lot 5, Block 3 is unsatisfactory. The easement is substandard. The sewer is located between buildings in an area that will be used to serve the buildings and may be paved. If the sewer location is retained, the sewer should be privately owned and maintained.

*Sanitary sewer has been modified.*

58. A portion of this site is in the Beal Slough drainage basin. Since Beal Slough is master planned, design standards require that the discharge from this site be compared with the master plan discharges per Section 8.5 of the Stormwater Drainage Design Standards.

*The drainage study addresses these concerns.*

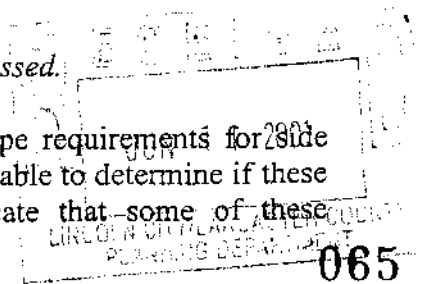
59. No provisions are shown through the detention basins to provide for a low flow or pilot channel as required by design standards. Public Works recommends that the requirement not be waived.

*The drainage plan has been modified to show HDPE low flow pipe where needed.*

60. The 100-year elevation for Basin D16 is above the low point of the street grade low point adjacent to it and is unacceptable.

*Drainage plan has been modified and concerns have been addressed.*

61. Design standards for detention facilities require minimum slope requirements for side slopes and slope of the bottom. Insufficient information is available to determine if these requirements are met. Interpretation of the contours indicate that some of these



requirements are not met.

*Drainage plans have been modified and concerns addressed.*

62. The plans show storm sewer in the surrounding arterial streets. The annexation agreement, plat, or both must indicate how these storm sewers will be built and who will bear the costs.

*Storm sewers will be built along with roadways and who pays has been addressed in the Annexation Agreement as part of who pays for the associated streets. Costs of storm sewer has always been assumed within street costs.*

63. The drainage study and storm water detention analysis includes land that is outside the limits of the plat and use permit. It is also shown on property not under control of this developer. These detention basins are not required for the plat as submitted.

*Drainage plans have been modified.*

64. Revise the plans to provide additional labeling to clearly indicate the contour elevations.

*Additional elevations have been added.*

65. Provide an executive summary of the detention information as previously requested. The information submitted is difficult to review in the format submitted. Engineering Services requests a meeting with Olsson's to discuss this format prior to resubmittal.

*Resubmittal includes overview and addresses Engineering Services' concerns.*

66. Revise the plans to show an internal loop road system so that internal traffic does not circulate using parking lot aisles and drives or 91<sup>st</sup> Street.

*Interval circulation has been modified to provide a more direct and viable connection between major areas.*

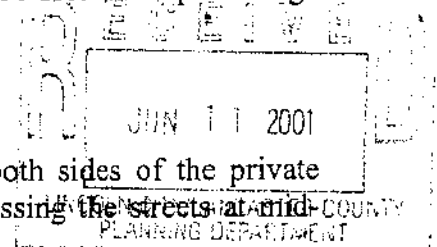
67. Revise the plans to address how truck circulation is intended to provide service to the commercial buildings. The paving width and radii must be confirmed in the areas where truck traffic is required.

*Truck turning requirements at loading areas have been included.*

68. The Phase I storage length for left turns as Eiger Drive at 84<sup>th</sup> is shown in the impact study at 450 feet. The design of Eiger Drive shows less than 300 feet. The plat design will not allow 450 feet.

*Eiger Drive will be constructed with dual lefts.*

69. The Public Works Department recommends sidewalks along both sides of the private roads. Lots are located along both sides of private roads. Crossing the streets at mid-



block should not be encouraged by eliminating sidewalks. A sidewalk system should be provided from the private roads to the big box sites and from the future office area to encourage pedestrian movement between uses.

*Sidewalks have been added up the access drives to the big box sites. Also refer to Question No. 19.*

70. Right-of-way stubs need to be provided at all the private road intersections with arterial streets. The depth of the stubs must be sufficient to include space for all traffic control devices. Corner triangles of right-of-way at these intersections are also needed.

*Right-of-way stubs are provided.*

71. The driveway west of 91<sup>st</sup> Street on 87<sup>th</sup> is too close to 91<sup>st</sup> Street. The left turn stacking required in 87<sup>th</sup> Street prevents any left turn stacking at the driveway.

*Drive location has been changed.*

72. A minimum of 4 lanes of pavement is required at the approaches to all intersections of arterial streets.

*The City has developed a standard design for its arterial streets which can accommodate dual lefts where needed. Regardless of any traffic studies, the City requires the construction of both dual lefts and paints one out until required. Because the major arterials are built providing dual lefts does not mean that they are required. Everywhere the traffic study has indicated an eventual need for dual lefts, the developer has provided two lanes to receive the dual lefts. Where the traffic study indicates there is no need for dual lefts, there is only one lane to receive the single left turn.*

73. The grades of 84<sup>th</sup> Street approaching Eiger Drive and Pine Lake Road exceed 4% in the approach of these proposed signalized intersections. This is contrary to design standards. Sight distance due to crest at the approach to these intersections must be confirmed to meet requirements.

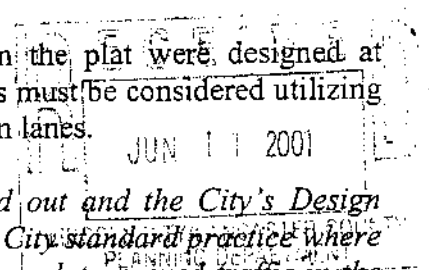
*The revised grades are in conformance with design standards.*

74. The final alignment of 84<sup>th</sup> Street and Highway 2 is still under consideration. The plat may need to be revised to reflect the alignment chosen.

*Agreed.*

75. In general, it appears the length of turn lanes shown on the plat were designed at minimums, not desirable standards. The length of turn lanes must be considered utilizing the length of queued vehicles, not just the vehicles in the turn lanes.

*All turn lanes have been designed based upon total build out and the City's Design Standards. The developer knows of no design standard nor City standard practice where designed turn lanes were intentionally lengthened to accommodate queued traffic in the*



*through lanes. It does not make economic sense from the developer's perspective. If the City desires longer turn pockets, the City could use its funds to extend the turn lanes.*

76. The geometry that is shown on the plat must depict the geometry required to accommodate future traffic volumes and the right-of-way that may be determined in the off site improvement agreement.

*The property owners have consistently shown the City's typical urban section within 120-foot right-of-way expanded to 130-foot right-of-way at major intersections.*

77. Dimensions of the proposed arterial pavement along with its dimensional relationship to the proposed right-of-way must be shown to determine if proposed widths are adequate.

*Dimensions have been added.*

78. All right-of-ways must be clearly dimensioned.

*Dimensions have been added.*

79. Revise "required parking ratio". The minimum parking in the B-5 district is 4.5 parking spaces per 1,000 square feet of floor area, except restaurants, hotels and motels.

*Required parking ration has been changed.*

80. Revise the minimum parking column for "Walmart/Retail". The minimum required parking is 923 based on 4.5 spaces per 1,000 square feet of floor area.

*Minimum parking has been changed.*

81. Remove the words "preliminary plat" from the City Council approval certificate.

*Approval certificate has been modified.*

82. Remove trade names (e.g., WalMart) from the documents to avoid amendments based solely on a change in the name of the tenant.

*Trade names have been removed.*

83. The following specific comments are made concerning the proposed abutting arterial streets and the proposed intersections:

*All lengths of turn lanes have been determined through an extensive traffic analysis which recognized the City's build out scenario 2 and total build-out of the commercial and residential areas. The developer does not propose separate right turn lanes, unless the traffic study indicated the need. All interval roads are not designed as four lane roadways. Four lanes are not necessary. (See answer to Question 72). All specific concerns about lane alignments, access to the south property and access to Cheney can be accommodated. This general comment addresses the developer's position regarding*

*all the following intersection improvements.*

**84<sup>th</sup> Street at the main entrance south of Pine Lake Road**

- a. Southbound dual left turn lanes need to be lengthened.
- b. Northbound right turn lane must be lengthened.
- c. This plat shows a four lane cross section on 84<sup>th</sup> Street plus dual left turn lanes in Phase I, unfortunately, they could complete Phase I and be open for business long before this cross section is in place. In addition, the impact study determined the length of turn lanes and the intersection LOS with the four lane cross section.

**84<sup>th</sup> Street at Highway 2**

- a. Southbound dual left turn lanes need to be lengthened.
- b. 84<sup>th</sup> Street south of Highway 2 is shown with only one southbound through lane, however, north of Highway 2 there are two southbound lanes shown.

**87<sup>th</sup> Street at Highway 2**

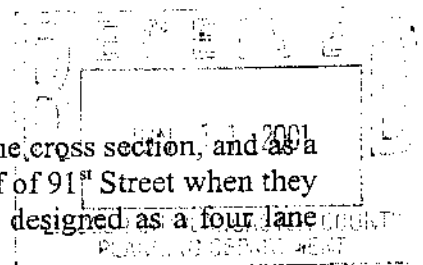
- a. Eastbound dual left turn lanes need to be lengthened.
- b. Eastbound right turn lane must be lengthened.
- c. Southbound left turn lane and right turn lanes need to be lengthened. The length of the turn lanes between Andermatt Drive and Highway 2 should be maximized.
- d. Westbound left turn lane must be lengthened.
- e. Westbound right turn lane must be lengthened. If the north leg of the intersection is constructed to ultimate design and the south leg is not constructed concurrently, the developer shall be responsible for the costs associated with the interim closure of the southbound through lane on the north leg of the intersection.

**91<sup>st</sup> Street at Highway 2**

- a. The left turn lanes on Highway 2 need to be aligned so that they oppose each other.
- b. Westbound right turn lane must be lengthened.
- c. Southbound right turn lane must be lengthened.
- d. Southbound left turn lane must be lengthened.
- e. The construction of the south leg of the intersection should be constructed concurrently with the north leg of the intersection to not only ensure proper alignment, but also establish the primary access to the village of Cheney.

**91<sup>st</sup> Street at the first entrance north of Highway 2 (Andermatt Drive)**

- a. Southbound left turn lane must be lengthened.
- b. Southbound right turn lane must be shown on the plat.
- c. Northbound left turn lane must be lengthened.
- d. Northbound right turn lane must be shown on the plat.
- e. It appears that Andermatt Drive is shown as a three lane cross section, and as a result, will not accommodate dual left turn movements off of 91<sup>st</sup> Street when they are warranted in the future. Andermatt Drive should be designed as a four lane cross section.



**91<sup>st</sup> Street at the second entrance north of Highway**

- a. Southbound left turn lane must be lengthened
- b. Southbound right turn lane must be shown on the plat.
- c. Northbound left turn lane must be lengthened.
- d. Northbound right turn lane must be shown on the plat. It appears the second drive north of Highway 2 is shown as a three lane cross section, and as a result, will not accommodate dual left turn movements off of 91<sup>st</sup> Street when they are warranted in the future. The second drive should be designed as a four lane cross section.

**91<sup>st</sup> Street at Pine Lake Road**

- a. Lengthen the northbound left turn lane.
- b. Lengthen the south westbound right turn lane.
- c. Roadway improvements should be continued from the intersection of Pine Lake Road and 91<sup>st</sup> Street east through the intersection of 98<sup>th</sup> Street and Pine Lake Road.

You have asked us to designate one contact person for the applicant. After consulting with the Mayor's Office, the undersigned is the designated contact person. Please let us know if you need further information or have further questions. On behalf of Andermatt, L.L.C. and Eiger Corp., we thank you for your time on this very important matter.

Yours very truly,



KENT SEACREST

For the Firm

cc without enclosures:

Dennis Bartels  
Jennifer Dam  
Rick Peo  
Lynn Johnson  
Greg Sutton  
Kelvin Korver  
Jack Lynch, OA Project No. 99-0677  
Mark Palmer  
Mike Gorman  
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